

# HellerEhrman

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## Facsimile Transmittal

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<b>No. of Pages:</b>	4 pgs. (including cover)	
<b>Date:</b>	March 22, 2005	

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**Re: U.S. Patent Application No. 10/627,297**  
**Filed: July 24, 2003**  
**Entitled: BLOCK COPOLYMERS BASED ON POLY(ORTHO ESTERS)**  
**CONTAINING AMINE GROUPS**  
**Inventors: Ng, et al.**  
**Our Reference: 10008-7195 C**

Dear Ms. Pinkney:

Per your telephone message of this morning requesting a copy of the Declaration for the above referenced patent application, please find attached a copy of the fully signed Declaration, assignment and power of attorney that was filed in the parent patent application No. 10/295,766.

You had indicated that this application is being "held up from allowance because of the missing Declaration." With this copy of the declaration, the file should now be complete, and we trust that you will be able to send us an Issue Notification soon. Thank you for your assistance.

Please feel free to contact me if you have any questions or comments relating to this matter.

Regards,



Sam L. Nguyen

### Attachment

SV 2112349 v1  
3/22/05 10:57 AM (10008.7195)

The information contained in this communication is intended only for the use of the addressee and may be confidential, may be attorney-client privileged and may constitute inside information. Unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error or you have not received all pages, please call the sender immediately at (650) 324-7000.

Heller Ehrman White & McAuliffe LLP [www.hewm.com](http://www.hewm.com)

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Hong Kong Singapore Affiliated Offices: Milan Paris Rome

2054

10/627 297

PATENTS  
Attorney Docket No. 10008-1195P1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:

Application No.: 10/295,766

Inventors: Steven Y. Ng and Jorge Heller

For: Block copolymers based on poly(ortho esters) containing amine groups

Commissioner for Patents  
Washington, D.C. 20231

Sir:

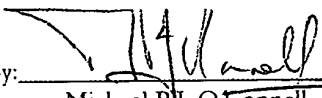
**POWER OF ATTORNEY BY ASSIGNEE  
AND STATEMENT UNDER 37 CFR 3.73**

A.P. Pharma, Inc. ("A.P. Pharma"), a Delaware company, states that it is the assignee of the entire right, title and interest in the application identified above by virtue of an assignment from the inventors, a copy of which is attached hereto.

As assignee of record of the entire interest of the above identified application, A.P. Pharma hereby appoints the practitioners at Customer Number 25213 as its attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned is authorized to act on behalf of the assignee.

A.P. Pharma, Inc.

By:   
Michael P.J. O'Connell  
President

Date: 3/13/03

SV 419901 v1  
2/26/03 11:58 AM (10008.1195)

10/627297

DECLARATION

Attorney Docket No. 10008-1195P1

As a below named inventor, I declare as follows:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled Block copolymers based on poly(ortho esters) containing amine groups, the specification of which was filed in the US PTO as Application No. 10/295,766 on November 14, 2002.

I state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I hereby claim the benefit under 35 USC 120 of US Application No. 09/991,537, filed November 16, 2001, now US Patent No. 6,524,606.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

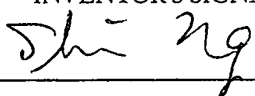
Address all written correspondence to:

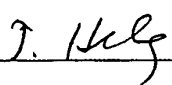
Customer Number 25213.

Direct all telephone calls to:

Derek P. Freyberg, at (650) 324-7014.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

INVENTOR	INVENTOR'S SIGNATURE	DATE
Steven Y. Ng		3/13/03
RESIDENCE: San Francisco, California		
CITIZENSHIP: U.S.A.		
POST OFFICE ADDRESS: 1664 18th Avenue, San Francisco, California 94122		

INVENTOR	INVENTOR'S SIGNATURE	DATE
Jorge Heller		3/13/03
RESIDENCE: Woodside, California		
CITIZENSHIP: U.S.A.		
POST OFFICE ADDRESS: 45 Skywood Way, Woodside, California 94062		

10/627297

ASSIGNMENT

Attorney Docket No. 10008-1195P1

WHEREAS, we, Steven Y. Ng and Jorge Heller, are the original, first and joint inventors of certain subject matter entitled Block copolymers based on poly(ortho esters) containing amine groups (the "Invention"), for which we have filed US Patent Application No. 10/295,766 in the US PTO on November 14, 2002;

AND WHEREAS, A.P. Pharma, Inc., having an address at 123 Saginaw Drive, Redwood City CA 94063 ("A.P. Pharma"), a Delaware company, desires to perfect its right to the Invention and in the Letters Patent to be obtained therefor from the United States of America;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we acknowledge A.P. Pharma's interest in the Invention and hereby assign to A.P. Pharma for the United States of America and all countries foreign thereto all our right, title and interest, including all rights under the Paris Convention for the Protection of Industrial Property, in the Invention, as described and claimed in Application No. 10/295,766, or in any continuation, division, reissue, reexamination or extension thereof and any legal equivalent thereof in a country foreign to the United States of America; the Invention, application and Letters Patent to be owned by A.P. Pharma, its successors, assigns and legal representatives, to the full end of the term for which such Letters Patent may be granted.

This assignment is effective as November 14, 2002.

I have read and understand this Assignment document for Application No. 10/295,766 and agree hereto, as indicated by my signature below.

INVENTOR	INVENTOR'S SIGNATURE	DATE
Steven Y. Ng	<i>Shi Ng</i>	3/13/03
INVENTOR	INVENTOR'S SIGNATURE	DATE
Jorge Heller	<i>J. Heller</i>	3/13/03